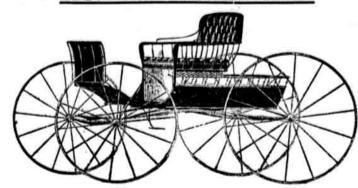
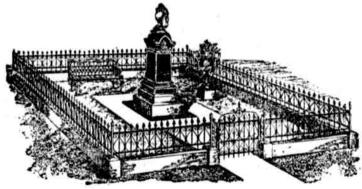
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MOTION FOR NONSULT

JURY GIVEN REST WHILE LAWYERS ARGUE

Elaborate Grounds of Motion by Defendant Magoon--Two Warren Divorce Suits to be Tried Together.

A motion for a nonsuit was made by ounsel for the defendant in the trial of J. D. Paris vs. J. A. Magoon, administrator of A. Fernandes, shortly after to o'clock this morning. This the men are sallors, move set Judge Robinson to inquire James H. Boyd, 8 how long the jury should be excused Public Works, leaves this afternoon for the argument. Mr. Lightfoot, of for Kauai on a visit of inspection to defendant's counsel, had a stack of the public works of that Islands, books before him for ammunition, regarding which Mr. McClanahan said:

"If Mr. Lightfoot is going to read It will not take me more than ten minster to answer all that he says.

The jury was excused until 1:20 p. m, and Mr. Lightfoot began his argument for a nonsult or an instruction to the jury to render a verdict for the defendant. His opening remarks were that the plaintiff might have the con-

The motion filed in writing contains ster egrapher, among other statements the following as condensed by the reporter:

after driving and counting 964 head ciaco some day next week, the exact of stock at his expense, the same were date not yet having been decided on. turned out with the consent and direction of the plaints, and that defend-ant was under no obligation to make Miss Katheryn McLeod as principal.

That if defendant had to make the plaintiff never made such a tender during the past year, to the defendant.

put an end to the contract.

has been proved. 5. This is practically the same con- Greenwell and J. D. Paris. tention as the third.

6. That ascertainment of purchase

7. That the price not having been

s. That as the contract was a per sonal one which the act of God preforming, the contract is dissolved, dis-charged and ended, the relation is ex-other two defendants were discharged. ained against the administrator.

That plaintiff is estopped from

10. That the evidence shows there was no agreement in the minds of the minutes. Upon her return to the certain identification, and the agree nandes or in any event against this manifolding power are conceded to be defendant.

11. That there is no evidence as to ing machine. We present to the pub- the number of cattle that were strong lic THE OLIVER as the latest and and healthy and above one month old most striking embodiment of these most striking embodiment of these 12. That according to plaintin's features, and the most radical depart-contention, the breach of the contract ure from other methods of constructoccurred at the death of A. Fernandes and no damages after his death bave

been proved. Other things being equal, durability suance of stipulations, that both the stated that the woman was drunk and follows as the result of simplicity.

There is not a small, frail bearing in of divorce. Laura Warren vs. Henry in to use filthy language. The woman Judge Robinson has ordered, in purthe machine. There are no fine joints R. Warren and vice versa, will be de. denied this, saying that her susband terials obtainable, combined with good trial, set for Saturday next at 9 a. m. face without even the slightest warn. "None But the Brave," by H. Sears. construction, are added to the simplicity of this machine, thus making its Kahawaii vs. D. Kukea et al., the de-

ownership as to one apana and a genany kind, such as Cabinets, Stands, the allegations in the complaint.

Ashford, answers with a disclaimer of

MAN WANTED.

WALL, NICHOLS CO., LTD. The Police Department has received a notice from Harry M. Quirk. Superintendent of Police of Philadelphia. Motor Carriage and Machine relating to the disappearance of Henry arrived in port vestering and anchored Tyson Detwiler of that place, who are in the stream, has been hauled up to date, stating that he was going south cargo, consisting of 876 tons of coal.

a large sum of money. occupation, stenographer; frequents and countries of the globe.

P. O. box 112. F. Beckert, a driver for the People's lee Co., was arrested this morning on the charge of heedless driving, the complaint having been sworn to by Chas, Matzle, a Japanese, who alleges that Beckert ran into him and broke his wagon yesterday. Beckert was later on released on his own recognizance. W. O. Atwater of the log complaints. The limiter and coal trade between the Sound and Australia. Fred. L. Waldron BROKER AND COMMISSION MERCHANT, P. O. Box 558; Tel Blue 791; Room The weekly edition of the Evening Bulletin is the largest and best pub-lished in the Territory. Sixteen and pany making himself responsible for for some time, the man's appearance in the Police Court tomorrow forenoon.

LOCAL AND GENERAL

Q. H. Berrey, money to loan The place to get pure Kona coffee is at C, J. Day's grocery.

The "Zendas" will give a social dance in Progress hall Thursday even-

For baby carriages and sewing machines and stoves and safes, call on Hoffschlaeger Co., Ltd. J. W. Catheart, Deputy Attorney

General, has removed his home to new house at College Hills. Handsomely illustrated varalogues of

Al Vista" cameras are being distributd free by the Honolulu Photo Supply There were five cases of vagrancy

the Police Court this foremoon. all went over until tomorrow. Four of James H. Boyd, Superintendent of

The baseball men who have learne of the probable postponement of the league games of Saturday next are anxious that these shall be played on

on the following Monday. James H. Boyd. Superintendent of W. G. Hall this afternoon for the purpose of seeing personally to matters connected with his department.

Judge Robinson this afternoon de

The present trip of the Kinau to Hilo and way ports will be her last That the drive of cattle was to be inter-island trip for some little time to be made by Fernandes and that, to come as she will sail for San Fran-

Miss McLcod is a graduate in English lower prices than anywhere else. of Acadia University and of its mis-i the drive, he need not do so without storary training school in New York. tender of money to pay expenses, and other McLeod taught in the seminary dentists of the best-recognized schools

Among the departures for Hilo and 3. That as the purchase price of the way ports in the Kinau toda, were the er dental office in the city; we have ntract was to be ascertained by the rollowing. Major and Mrs. A. Harrin, the best plate workers, crown and ersonal act of Fernandez, his death C. L. Clement, A. V. Peters, W. Wright, R. E. Maynard, T. R. Keyworth, T. 4. That no time for performance Clive Davies, A. Streckwald, Mrs. Edmund Norrie, Mrs. M. Louisson, F. R.

Agimura, Nakamato and Chirikawathree Japanese-appeared in the Police exactly what your work will cost by a price was a condition precedent to Court this forenoon on the charge of completion of contract.

Court this forenoon on the charge of assault and battery on a woman of Full Plate of T That the price not having been ascertained during the lifetime of Fer place in a house on King street, near nandez, the contract is not now on the Waikiki turn, on Friday night forcable against his estate or this de liest. The three men were accused of creating a "rough house." of assaulting the woman with a fishing spear and of doing other disorderly things. Agimu ta was found guilty and was sentenced to pay a fine of \$25 and costs.

Yesterday morning a burglar entered the home of William Lowry on Young street, between Pilkoi and Keeaumoku. bringing this action by his failure in Mr. Lowry went down town at about an equity suit for specific performance 8:30 o'clock and a balf hour later. Mrs. Lowry went into the rear part of the house where she remained only a few parties to the contract, as the thing for she noticed one of the shutter doors sold was not specific nor capable of open. She went to the bedroom and discovered that her jewelry box was ent was not enforcable against Fer. gone. This was quite a rich haul for the burglar. The imprint of muddy shoes was seen on the matting. The

Piko, a native, appeared in the Police Court this forenoon on the charge of assault and battery on his wife. He produced at the walked up and struck her full in the "The Blazed Trail," by S. E. White. In the ejectment sait of Solomon ing. Judge Wilcox sentenced the man to one month's imprisonment at hard "The Strollers," by F. S. Isham. fendant Kukea by his attorney, C. W. labor, delivering himself as follows;

"Last week you were arrested and fined \$10 and costs on the charge of eral denial as to another spans of all assault and battery on your sister. Your poor mother was forced to borrow There was no business offered in the three weeks wages for a good for noth-Copy Holders, Erasers, Brushes, or any United States District Court this morning like you. I'll send you over to jall other accessory, call on us and we will ing. mother will go over there and work out your time for you."

AEOLU IN SPORT.

conded on March 17th of this year the Keknanaca where where she will The young man left the city on that this afternoon begin discharging her for his health. Later on, it was die. The Acolus is one of the old types of

pearing from the weas owing to the 550 KING STREET, TERRITORIAL The description of the young man is hard pressing competition of tramp BUILDING, where he is prepared to ha follows: Age 27; 5 feet 10 or 11 steamers and large sailing vessels. She do PAINTING and PAPERHANGING inches in height; weight, between 150 is a fine sea boat and from her home in all its branches, and will be pleased and 155; light thre eyes; light hair; port at Krageroe. Norway, she has to see all of his old patrons, as well Etc., Etc., Repaired. small light moustache; wears glasses; crossed the "seven seas" to all parts as new ones. He has no connection

Prior to this run she used to run in the Brazil trade. On this voyage she pizance, W. O. Atwater of the ice com-

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"The Mastery of the Pacific," by A. R. Colquboun. Dorothy Vernon of Haddon Hall," by

Chas. Majors (author of "When Knighthood Was in Flower"). "The Kentons," by W. D. Howells,

"The Magic Wheel," by John Strange "The Hounds of the Baskervilles," by Conan Doyle

The Woman Who Dared," by Lynch. A House Party," edited by Paul Leicester Ferd. The above are only a "SAMPLE

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